

**AMENDED AGENDA FOR
RECLAMATION DISTRICT NO. 1608
BOARD OF TRUSTEES SPECIAL MEETING
8:00 A.M. MAY 11, 2016
NEUMILLER & BEARDSLEE
509 WEST WEBER AVENUE, FIFTH FLOOR
STOCKTON, CALIFORNIA**

Call to Order.

Roll Call.

Agenda Items.

1. Public Comment. Under Government Code Section 54954.3, members of the public may address the Board on any issue in the District's jurisdiction. The public may address any item on the agenda as it is taken up.
2. Approval of Minutes. Minutes of the regular meeting of April 6, 2015.
3. Financial Report. Review, discuss, and accept financial report.
 - (a) Draft 2016-2017 Budget
4. Engineer's Report. Request for directions and approvals.
 - (a) Consider new permits requests from homeowners.
 - (1) 3738 Fourteen Mile Drive, Index No. 35 Lot 408, APN 098-500-36, Lawn Conversion
 - (b) Consider Pending permits requests from homeowners.
 - (c) Status of Activities
5. Levee Superintendent Report. Request for directions and approvals.
6. Report by Trustees on meetings attended and up coming meetings. Request for direction
7. Report and possible action on Progress of Tasks Assigned at Previous Board Meetings.
8. Discussion and direction on Short-Term and Long-Range Goals. Discussion.
9. District Calendar. Discussion and direction.
10. Correspondence.
11. Approval of Bills.
12. Staff Reports.
 - (a) Attorney. The Agenda for this meeting was posted on the window outside the meeting room at 509 West Weber Avenue, Stockton, California, at least seventy-two (72) hours preceding the meeting.
13. Adjournment.

This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code §54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact Jean Knight at 209/948-8200 during regular business hours, at least forty-eight hours prior to the time of the meeting.

Materials related to an item on this Agenda submitted to the Trustees after distribution of the agenda packet are available for public inspection in the office of the District Secretary at Neumiller & Beardslee, 509 W. Weber Avenue, 5th Floor, Stockton, California during normal business hours.

**AGENDA PACKET
RECLAMATION DISTRICT 1608
May 11, 2016**

<u>ITEM</u>	<u>COMMENTARY</u>
1.	Self-explanatory.
2.	Please see attached.
3.	Please see attached.
4.	Self-explanatory.
5.	Self-explanatory.
6.	Self-explanatory.
7.	Self-explanatory.
8.	Please see attached.
9.	Please see attached.
10.	Please see attached.
11.	Self-explanatory.
12.	Self-explanatory.
13.	Self-explanatory.

ITEM 2

**MINUTES OF THE REGULAR MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1608
HELD WEDNESDAY, APRIL 6, 2016**

A Regular Meeting of the Board of Trustees of Reclamation District 1608 was held Wednesday, April 6, 2016, at the law office of Neumiller & Beardslee, 509 W. Weber Avenue, 5th Floor, Stockton, California, at the hour of 8:00 a.m.

TRUSTEES PRESENT WERE:

MICHAEL PANZER
DREW MEYERS
BRETT THOLBORN

OTHERS PRESENT WERE:

DANIEL J. SCHROEDER
ANDREW J. PINASCO
CHRIS NEUDECK
JEAN L. KNIGHT
JOE BRYSON
BOB BENTZ
JUDITH BUETHE

Item 1. Public Comment. Bob Bentz brought a brochure to the meeting that was from the Central Valley Flood Protection Board and put out by San Joaquin County Channel Maintenance. He thought it might be a good source of information for the District Superintendent to hand out to new District's constituents, especially those with levee lots.

Item 2. Approval of Minutes. Minutes of the regular meeting of March 2, 2016. After review,

It was moved, seconded, (B. Tholborn/M. Panzer) and
unanimously carried by the Board of Trustees of Reclamation
District 1608 that the minutes of the regular meeting of March 2,
2016 be approved as read.

The following bills, and warrants in payment of same, were approved:

MICHAEL PANZER, #5766, Trustee Fee	100.00
DREW MEYERS, #5767, Trustee Fee, Two Meetings.....	200.00
BRETT THOLBORN, #5768, Trustee Fee	100.00
JEAN L. KNIGHT, #5769, Secretarial Fee	635.00
NEUMILLER & BEARDSLEE, #5770, Inv. #275429	2,511.29
KJELDEN, SINNOCK & NEUDECK, #5771, Inv. #s 18727-18732.....	21,500.93
CROCE & COMPANY, #5772, Inv. #2003792.....	441.50
PG&E, #5773, Electrical.....	21.24

PAUL E. VAZ TRUCKING, INC. #5774, Inv. #s 40975, 40976, 40977,
 40978, 40979, 40980, 40832, 40833, 40834, 40835.....16,153.57
 JUDITH BUETHE COMMUNICATIONS, #5775, Inv. #501664.13
 E&C MAINTENANCE & CONSTRUCTION, #5776, February/March Work1,260.00

Timesheets for the following employees were submitted and checks in payment of same, were approved:

GABRIEL P. BANKS, #1251, March 1-15, 2016 Semi-Monthly Salary290.80
 JONATHAN F. NEVAREZ, #1252, March 1-15, 2016 Semi-Monthly Salary384.09
 GABRIEL P. BANKS, #1253, March 16-31, 2016 Semi-Monthly Salary829.03
 JONATHAN F. NEVAREZ, #1254, March 16-31, 2016 Semi-Monthly Salary521.45
 JOE BRYSON, #1255, Payroll, March Salary3,250.66

State and Federal Payroll Taxes scheduled to be paid on line, were approved

State Government, Payroll Taxes, March Salary284.08
 Federal Government, Payroll Taxes, March Salary1,804.60

Item 3. Financial Report. Review, discuss, and accept financial report. Dan Schroeder presented the treasurer’s report. After review,

It was moved, seconded (D. Meyers/B. Tholborn) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the Financial Report be approved.

Item 4. Engineer’s Report. Request for directions and approvals.

(a) Consider new permits requests from homeowners.

1) 6321 Embarcadero Rd. Index No. 7 Lot 2102, APN 098-210-01, Fence Replacement. Mr. and Mrs. Black. Request removal and replacement of existing fence. Mr. Neudeck originally did not recommend approval because the engineers did not have a set of plans. Joe Bryson followed up with the Blacks and was able to get the plans which were separately distributed along with the engineer’s report. Mr. Neudeck handed out what he considered a rough set of plans and now recommend approval. The Blacks have taken down their fence and would like to put the new one up. After discussion, the Trustees approved the permit request. Therefore,

It was moved, seconded (B. Tholborn/D. Meyers) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the amended permit request for the fence replacement for 6321 Embarcadero Rd., Index No. 7, Lot 2102, APN 098-210-01 be approved.

- 2) 6249 Embarcadero Rd. Index No. 9, Lot 1921, APN 098-340-08, Fence Replacement. Mr. Roger Fisher. This again, is similar to the Black's request above in that Mr. Bryson was able to get a permit application, with plans, the day before the meeting. The engineers therefore, changed from not approving the permit request to approving the amended permit request for an "As-Built" fence resulting from the removal and replacement of an existing, rotted fence. Therefore,

It was moved, seconded (D. Meyers/B. Tholborn) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the amended permit request for an "As-Built" fence resulting from the removal and replacement of an existing, rotted fence for 6249 Embarcadero Rd. Index No. 9 Lot 1921, APN 098-340-08, be approved.

- 3) 3730 Fourteen Mile Drive. Index No. 36 Lot 409, APN 098-393-09, Installation of planters. Larry and Renata Mamaril. The engineers are recommending denial as this is not the location (levee landward slope) on which they are supportive of raised planters. They should do on flats of the levee in their backyard - not on the levee. Therefore,

It was moved, seconded (B. Tholborn/D. Meyers) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the permit request for 3730 Fourteen Mile Drive. Index No. 36 Lot 409, APN 098-393-09, Installation of planters, be denied.

- 4) 3821 Falmouth Circle, Index No 134, Lot 2129, APN 098-100-18, Placement of wood chips. Parveen Malik. It was reported that the Maliks had removed circles of ice plant. The ice plant is not totally removed and it was thought that soon, the bark will again be covered up with ice plant. The Maliks have not submitted plans and the engineers do not recommend ice plant and recommend denial of the permit application based on no plans being submitted. Research on whether there is a permit on file for ice plant will be done. The engineers recommend removal of the ice plant and to use bark or gravel as ground cover. The engineers and/or superintendent may have to meet with the Maliks. Therefore,

It was moved, seconded (B. Tholborn/D. Meyers) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the permit request for placement of wood chips at 3821 Falmouth Circle, Index No 134 Lot 2129, APN 098-100-18 be denied due to no plans being submitted. The engineers and/or

superintendent may meet with the Maliks to find the best way to remove the ice plant and place wood chips or gravel.

(b) Consider Pending permits requests from homeowners. No report.

(c) Approval of Agreement with Bulk Credit Mitigation Credits for tree removal at 6201 Embarcadero Rd. Mr. Neudeck reported on this item and noted that during the process of reviewing the levee subvention claims, it was discovered that there had been tree removal at 6201 Embarcadero. and that no mitigation had been done. The engineer's report details the calculation of the mitigation credit which will end up being:

Cost for Bulk Credit Purchase: .29 acres x \$62,295/acre = \$18,065.55. The District's 25% share would be \$4,516.39. This money will be subtracted from the money due the District for the levee subvention claim sent for this last year, as right now, the monies due the District are being held up until this issue can be resolved. A sample Mitigation Agreement was included within the engineer's report and after review,

It was moved, seconded,(B. Tholborn/D. Meyers) and unanimously carried by the Trustees of Reclamation District 1608 that the District enter into an agreement with Westervelt Ecological Services to purchase Bulk Credit Mitigation Credits for tree removal as part of the repair to the District's Levee at 6201 Embarcadero.

(Taken from the engineer's report)

A. Renew the status of the Annual levee encroachment survey along all reaches of the District levee. Mr. Neudeck gave an update on the survey and also noted that letters to applicable homeowners will be going out shortly. He also reported that the computers (including the one within the truck) will be updated with the existing data for the properties on the levees.

(Taken from the engineer's report)

B. Review beaver activity at the Hemmington residence at 3872 Fourteen Mile Slough. Mr. Neudeck reported that the District needs to obtain a deprivation permit and the beaver must be trapped in a manner consistent with an urban setting. The engineers are taking photos and will be meeting with a trapper to get a beaver trap set up.

III. Fema Mapping Status. See exhibit K. Mr. Neudeck is feeling pretty good about this process. They are analyzing out to Alexandria. He is hoping by mid-summer the engineers will get the submittal done. He noted that the City of Stockton has to submit it – the City submits on the District's behalf and the District works with FEMA after that. He noted that the District is still waiting to hear from FEMA and also an explanation of how the District got a letter from Kathy Schaeffer noting the District was out of the flood zone.

Item 5. Levee Superintendent Report. Request for directions and approvals. Joe Bryson gave his report.

On number 5 of the report, Mr. Bryson was directed to tell homeowners who are leaving boats on levee rocks to remove these boats. They need to put their boats on their dock, not the rocks.

On number 6. Mr. Bryson said that many homeowners are asking him where the District is on the sediment removal project. He was advised to tell them the District is working on getting the District out of the flood zone and if they had to pay for flood insurance, it could be very expensive and that when the time comes, the District will be working on sediment removal – there are no funds for it right now.

On number 22. Tell Ms. Ogden that the District will help her remove some of the weeds and dead ice plant and that she cannot replace the ice plant and also see if Mr. Bryson can get her to go to gravel.

- (a) **Approval of garbage services contract.** Mr. Bryson reported that he used to take garbage off the rocks and take it over to the marina. Right now the District spends close to \$1500 to \$2000 a year for garbage removal. For \$200 a month, the garbage company will take care of this. Also, this will be a service the District can submit for levee subventions and it was suggested that a “Debris” category be created for the next year’s budget. After discussion,

It was moved, seconded (B. Tholborn/D. Meyers) that unanimously carried by the Trustees of Reclamation District 1608 that the District enter into a garbage services agreement at \$200 a month. This will be scheduled for once a month service and is a verbal arrangement and there will be no written contract.

Item 6. Newsletter. Direction regarding Spring Newsletter. Trustees, staff and Ms. Buethe went over the proposed newsletter and made comments and suggestions. Several of the photos will also be redone. Judith Buethe will have it ready in about a week and send an update.

Item 7. Report by Trustees on meetings attended and upcoming meetings. Request for direction. Drew Meyers attended a TAC meeting. Mr. Schroeder attended the 2nd half of the meeting. Both reported on the meeting.

Item 8. Report and possible action on Progress of Tasks Assigned at Previous Board Meetings. Nothing to report.

Item 9. Discussion and direction on Short-Term and Long-Range Goals. Discussion. No action.

Item 10. District Calendar. Discussion and direction.

- (a) Possible changing of May 4, 2016 Regular Meeting Date. Mr. Schroeder reported that he would be at a League of Cities Conference on the regular meeting date and after discussion, it was agreed that the next meeting of the Board would be moved to May 11th.

Item 11. Correspondence. Mr. Schroeder noted that the District had received a notice from the Census Bureau requesting quite a bit of information regarding the District. When they called Mr. Schroeder, he noted it took time and resources to do this and perhaps the Census Bureau would like to pick up the bill. The response did not indicate that would be the case. Unless the Trustees feel he should do this, he will not respond. The Trustees authorized him not to respond.

Item 12. Closed Session.

(a) PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Levee Superintendent

(b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: District Secretary.

Item 13. Report out of Closed Session. Closed Sessions were not held.

Item 14. Discussion and Possible Action regarding District Levee Superintendent and Secretary's Contracts. There was discussion between Mr. Bryson and the Trustees and Ms. Knight and the Trustees with respect to salaries. The Trustees agreed to an hourly salary of \$35.00 an hour for Mr. Bryson and a \$640 salary and \$50 vehicle allowance for Ms. Knight. Updated contracts will be prepared. Therefore,

Upon motion duly made, seconded (B. Tholborn/D. Meyers) and unanimously carried by the Trustee of Reclamation District 1608 the salaries of Mr. Bryson and Ms. Knight will be adjusted as follows:

Hourly Rate for Mr. Bryson will increase to \$35.00 an hour.

Monthly Rate for Salary for Ms. Knight will increase to \$640 a month and \$50 a month for vehicle allowance.

Item 15. Approval of Bills. The bills, as presented, were approved.

Item 16. Staff Reports. (a) Attorney. The Agenda for this meeting was posted on the window outside the meeting room at 509 West Weber Avenue, Stockton, California, at least seventy-two (72) hours preceding the meeting.

Item 16. Adjournment. The meeting was adjourned at 10:15 a.m.

Secretary: The agenda for this meeting was posted on a 1st floor lobby window at 509 W. Weber Avenue, Stockton, California at least 72 hours preceding the meeting.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jean L. Knight". The signature is written in a cursive style with a large initial "J".

Jean L. Knight
District Secretary

ITEM 3

**RECLAMATION DISTRICT 1608
BUDGET FOR FISCAL YEAR 2016-2017**

	<u>2016-2017</u>
<u>OPERATIONS & MAINTENANCE EXPENSES</u>	
LEVEE SUPERINTENDENT, (includes payroll taxes, auditor expenses)	\$ 62,000
FENCES & GATES	25,000
LOCKS & SIGNS	2,000
WEED AND RODENT CONTROL & CLEANUP	15,000
LEVEE REPAIR FUND	125,000
PUMP SYSTEM MAINTENANCE	500
CELLULAR TELEPHONE (includes wireless computer service)	1,700
EMERGENCY EQUIPMENT & SUPPLIES	1,000
GARBAGE SERVICE	2,400
DISTRICT VEHICLE (Fuel, maintenance, repairs)	5,600
	<u>\$ 240,200</u>
<u>GENERAL EXPENSES</u>	
TRUSTEE FEES	\$ 6,000
SECRETARY FEES	9,000
OFFICE EXPENSES	750
LEGAL	55,000
AUDITING	3,200
COUNTY ADMINISTRATION COSTS	6,000
LIABILITY INSURANCE	9,000
WORKERS COMPENSATION INSURANCE	8,000
AUTOMOBILE INSURANCE	2,000
ELECTION COSTS	0
NEWSLETTER & PUBLIC COMMUNICATIONS	7,000
	<u>\$ 105,950</u>
<u>ENGINEERING EXPENSES</u>	
GENERAL ENGINEERING	\$ 120,000
MISCELLANEOUS EXPENSES (e.g. travel)	1,000
ASSESSMENT ENGINEERING	5,500
SEDIMENT REMOVAL PROJECT	0
	<u>\$ 126,500</u>
<u>SHARED DISTRICT EXPENSES</u>	
RD 2119 ELMWOOD TRACT	\$ 30,000
	<u>\$ 30,000</u>
 TOTAL EXPENSES	 <u>\$ 502,650</u>

**RECLAMATION DISTRICT 1608
BUDGET FOR FISCAL YEAR 2016-2017**

	<u>2016-2017</u>
<u>INCOME</u>	
PROPERTY TAXES	\$ 200,000
INTEREST INCOME	5,000
ASSESSMENTS	298,000
LEVEE SUBVENTION REIMBURSEMENT	93,904
TOTAL INCOME	<u>\$ 596,904</u>
EXCESS OF REVENUE OVER EXPENDITURES (SHORTAGE)	<u>\$ 94,254</u>

<u>RESERVES</u>	
Capital Improvement Reserve	\$ 500,000
Board-designated Reserve	\$ 900,000
Cash on Hand (Exclusive of Reserves)	\$ 513,044
TOTAL CASH RESERVE (as of July 1, 2016)	\$ 1,913,044

**RECLAMATION DISTRICT 1608
BUDGET FOR FISCAL YEAR 2015-2016**

	<u>2015-2016</u>
<u>OPERATIONS & MAINTENANCE EXPENSES</u>	
LEVEE SUPERINTENDENT, (includes payroll taxes, auditor expenses)	\$ 60,000
FENCES & GATES	25,000
LOCKS & SIGNS	2,000
WEED AND RODENT CONTROL & CLEANUP	15,000
LEVEE REPAIR FUND	125,000
PUMP SYSTEM MAINTENANCE	500
CELLULAR TELEPHONE (includes wireless computer service)	1,400
EMERGENCY EQUIPMENT & SUPPLIES	1,000
DISTRICT VEHICLE (Fuel, maintenance, repairs)	5,328
	<u>\$ 235,228</u>
<u>GENERAL EXPENSES</u>	
TRUSTEE FEES	\$ 6,000
SECRETARY FEES	8,000
OFFICE EXPENSES (includes storage facility and pdf file conversion)	1,750
LEGAL	55,000
AUDITING	3,000
COUNTY ADMINISTRATION COSTS	6,000
LIABILITY INSURANCE	8,200
WORKERS COMPENSATION INSURANCE	8,000
AUTOMOBILE INSURANCE	2,000
ELECTION COSTS	3,000
NEWSLETTER & PUBLIC COMMUNICATIONS	9,000
	<u>\$ 109,950</u>
<u>ENGINEERING EXPENSES</u>	
GENERAL ENGINEERING	\$ 80,000
MISCELLANEOUS EXPENSES (e.g. travel)	1,000
ASSESSMENT ENGINEERING	5,500
SEDIMENT REMOVAL PROJECT	0
	<u>\$ 86,500</u>
<u>SHARED DISTRICT EXPENSES</u>	
RD 2119 ELMWOOD TRACT	\$ 30,000
	<u>\$ 30,000</u>
 TOTAL EXPENSES	 <u>\$ 461,678</u>

**RECLAMATION DISTRICT 1608
BUDGET FOR FISCAL YEAR 2015-2016**

	<u>2015-2016</u>
<u>INCOME</u>	
PROPERTY TAXES	\$ 200,000
INTEREST INCOME	5,000
ASSESSMENTS	298,000
LEVEE SUBVENTION REIMBURSEMENT	93,904
TOTAL INCOME	<u>\$ 596,904</u>
EXCESS OF REVENUE OVER EXPENDITURES (SHORTAGE)	<u>\$ 135,227</u>

<u>RESERVES</u>	
Capital Improvement Reserve	\$ 500,000
Board-designated Reserve	\$ 900,000
Cash on Hand (Exclusive of Reserves)	\$ 513,044
TOTAL CASH RESERVE (as of July 1, 2015)	\$ 1,913,044

ITEM 8

SHORT TERM GOALS
May 11, 2016

1. Sediment Removal Project.
2. Assistance to RD 2119 (Wright Elmwood Tract), and other Districts if necessary.
Status: on-going.
3. Participate in County TAC and stakeholder groups. Status: Ongoing.
4. Work on slumping areas. In progress.
5. Monitor SJAFCA meetings re Calaveras and Fourteen Mile Slough uncertified levees.
6. Vegetation encroachments
7. Annual Levee Inspection.
8. FEMA Levee Certification

LONG TERM GOALS

9. CVFP Plan

ITEM 9

RD 1608: MASTER CALENDAR

JANUARY

- Update Levee Property DVD

FEBRUARY

- Send out Form 700s, remind Trustees of April 1 filing date

MARCH

- Yearly Employee Evaluations
- Submit Verification Request Form (VRF) for the Annual Levee Maintenance Project to the California Department of Fish & Game.
- Submit payment to the California Department of Fish & Game for prior year Levee Maintenance Project(s).
- Spring Newsletter

APRIL

- April 1: Form 700s due
- Letter to Property owners on levee regarding levee standards and permit requirements
- Schedule an Annual Joint meeting with RD 2074 (Brookside) and RD 2119 (Wright Elmwood Tract).

MAY

- Draft Budget
- Annual Department of Fish & Wildlife Maintenance Agreement Renewal.
- Tour of Levee System

JUNE

- June 15: Provide notice/make available to the public, documentation/materials regarding determination of Appropriations (15 days prior to meeting at which Appropriations will be adopted) (*Government Code* §7910).
- Approve Audit Contract for expiring fiscal year
- Adopt the Annual Budget

JULY

- Adopt Resolution for setting Appropriations and submit to County Assessor's Office.
- Follow up with FEMA on Certification Letter (2015 only).

AUGUST

- August 1: Deadline to certify assessments for tax-roll and deliver to County (duration of current assessment: FY 2025).

- Send handbills for collection of assessments for public entity-owned properties
- In election years, opening of period for secretary to receive petitions for nomination of Trustees (75 days from date of election.) (*Cal. Wat. Code §50731.5*)
- Submit End of the Year Financial Report.

SEPTEMBER

- In election years, last legal deadline to post notice that petitions for nomination of Trustees may be received (7 days prior to close of closure.) (*Cal. Wat. Code §50731.5*).
- In election years, closing of acceptance of petitions for nomination of Trustees (54 days from date of election.) (*Cal. Wat. Code §50731.5*).

OCTOBER

- Publish Notice of Election, odd numbered years (once per week, 4 times, commencing at least 1 month prior to election.)
- Fall Newsletter.
- Update District Information Sheet.
- Review District Emergency Supplies
- Emergency Plan Review in 2018 (every three years thereafter)

NOVEMBER

- Election: to be held first Tuesday after first Monday of each odd-numbered year.

DECEMBER

- Review Emergency Plan.
- New Trustee(s) take office, outgoing Trustee(s) term(s) end on first Friday of each odd-numbered year.
- Provide updated version of electronic copies of properties within District

Term of Current Board Members:

Name	Term Commenced	Term Ends
Drew Meyers	2013	First Friday of Dec 2017
Brett Tholborn	2015	First Friday of Dec 2019
Michael Panzer	2015	First Friday of Dec 2019

Assessment Expires 6/30/2025

Reclamation District Meetings

- **First Wednesday of each month, at 8:00 A.M.
at the offices of:
Neumiller & Beardslee
509 W. Weber Avenue, Suite 500
Stockton, California 95242**

ITEM 10

RD1608

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



April 4, 2016

To: Participants of the Delta Levees Maintenance Subventions Program

Subject: Delta Levee Maintenance Subventions Program Applications for FY 2016-17

The Delta Levees Maintenance Subventions Program (Subventions Program) has been dedicated to maintaining and helping to manage the aging levees in the Sacramento – San Joaquin Delta for over 40 years. Since the passage of SB 541 (Way Bill) in 1973, more than \$180 million has been reimbursed to local agencies for eligible levee maintenance and rehabilitation work in the Delta through the Subventions Program. The Disaster Preparedness and Flood Prevention Bond Act of 2006 (Proposition 1E), the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) and the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1), have all authorized DWR to provide local assistance under the Subventions Program to reduce the risk of levee failure and flooding in the Delta, as well as to ensure no net loss of habitat.

The Department of Water Resources (DWR) is now accepting applications for the FY 2016-17 Subventions Program from eligible local agencies within the legal Delta. DWR is planning to make \$12 million available from Proposition 1E funds for the FY 2016-17 Subventions Program. Upon receiving the annual levee maintenance applications from the local agencies, DWR will prepare the FY 2016-17 Subventions Program annual expenditure plan and will seek the Central Valley Flood Protection Board's (Board) approval in the fall 2016. Please submit your levee maintenance application by the July 1, 2016 deadline in order to be considered for the FY 2016-17 Subventions Program. Applications may be submitted electronically to meet the deadline; however, a hard copy of the application with original signature(s) must follow by mail.

Please note that all applications must be in compliance with the 2016 Subventions Program Guidelines or the guidelines most recently passed by the Board. The following are among the criteria that need to be satisfied prior to final approval of an application and/or disbursement of State funds (see the current Guidelines for comprehensive information):

- All engineering plans submitted to DWR must be approved by the local agency and must be prepared and signed by a Civil Engineer licensed by the California Board for Professional Engineers, Land Surveyors, and Geologists.
- The applicant must provide information regarding conformance with The Department of Industrial Relations Labor Compliance Program requirements of Propositions 1E (see Attachment A).
- Plans shall not result in a net long-term loss of riparian, fisheries, or wildlife habitat.

Delta Levee Maintenance Subventions Program Applications for FY 2016-17

April 4, 2016

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- The application must state that all habitat and mitigation requirements shall be completed to the satisfaction of California Department of Fish and Wildlife (CDFW). Failure to complete habitat and mitigation requirements as required will result in forfeiture of reimbursement under this Program and may prevent future participation *in the program*.
- The applicant must ensure that the proposed work is in compliance with CEQA guidelines. The local agency shall be the lead agency for purposes of CEQA. However, both the Board and DWR, as responsible agencies, will review and consider the project's CEQA environmental document(s) prior to providing funding for any project that is subject to CEQA. Such approval is fully discretionary and shall constitute a condition precedent to any work for which it is required.
- In accordance with Water Code Section 9140, if the local agency is responsible for the operation and maintenance of a project levee, or if the local agency operates and maintains a nonproject levee that also benefits land within the boundaries of the area benefited by the project levee, the local agency shall prepare and submit to DWR, on or before September 30th of each year, a report of information for inclusion in periodic flood management reports prepared by DWR relating to the project levee.
- In accordance with Water Code Section 9650, if the local agency receives funding from the State to upgrade a project levee that protects an area in which more than 1,000 people reside, the local agency responsible for the project levee and any city or county, including charter cities or counties, protected by the project levee shall enter into an agreement to adopt a safety plan within two years. The safety plan shall be integrated into any other local agency emergency plan and shall be coordinated with the state emergency plan. The local entity responsible for the operation and maintenance of the project levee shall submit a copy of the safety plan to DWR and the Board. No advances or reimbursements shall be made by the State for a levee covered by this paragraph until it receives the agreement from all necessary entities.

Again, please read the Guidelines carefully for comprehensive information regarding the Subventions Program. Submit **two** hard copies and one digital of the application to my attention at DWR and **one** hard copy and one digital to Mr. Jim Starr at CDFW to the following addresses:

Send **two** copies of the application to:

Andrea L. Lobato, P.E., Manager
Delta Levees Program
Department of Water Resources
Post Office Box 942836
Sacramento, California 94236-0001
Fax: (916) 651-9295
Andrea.Lobato@water.ca.gov

Send **one** copy of the application to:

Jim Starr, Supervisor
Environmental Program Manager
Department of Fish and Wildlife
2109 Arch Airport Road, Suite 100
Stockton, California 95206
Fax: (209) 234-3441
Jim.Starr@wildlife.ca.gov

Delta Levee Maintenance Subventions Program Applications for FY 2016-17
April 4, 2016
Page 3

After final Board approval of the expenditure plan, DWR will prepare work agreements for execution by the Board and each participating agency. Timely execution of these funding agreements will help ensure that funding is committed. As always, participating agencies must be in compliance with all federal, State, and local laws and regulations in order for the Board and DWR to enter into agreement with the agency and consider reimbursement of the final claim.

As a reminder, final claims for the FY 2015-16 Subventions Program are due on November 1, 2016. If you have any questions or comments regarding the Delta Levees Maintenance Subventions Program, please call me at (916) 651-9295 or Sandra Maxwell of my staff at (916) 651-7009.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andrea L. Lobato', with a long horizontal line extending to the right.

Andrea L. Lobato, P.E., Manager
Delta Levees Program

cc: (See attached list.)
Mr. Jim Starr, Department of Fish and Wildlife

Attachments

Attachment A

DWR Labor Compliance for Grant Programs

- I. For every public works project — Prevailing Wage Compliance and Enforcement by Department of Industrial Relations
 - A. In addition to complying with other applicable laws, each bidder submitting a bid for such contract work must be a Department of Industrial Relations Registered Contractor pursuant to Labor Code Section 1725.5 (“DIR registered contractor”). A Bidder that is not a DIR registered contractor when submitting a bid for the contract work is deemed “not qualified.” Pursuant to Labor Code Section 1725.5, all subcontractors identified in a Bidder’s Subcontractor List shall also be DIR registered contractors.
 - B. All contractors who are awarded a contract, and all subcontractors of any tier, at all times during the performance of the work, shall be DIR registered contractors. Also, all such contractors and subcontractors must furnish electronic certified payroll records directly to the Labor Commissioner (of the Division of Labor Standards Enforcement).
 - C. The contracts are subject to compliance monitoring and enforcement by the Department of Industrial Relations.
- II. Additional requirements for projects utilizing Proposition 84 funds — Prevailing Wage Compliance and Enforcement through a Labor Compliance Program (LCP) — for a Prop. 84-funded job, in addition to the above requirements, the grantee will be required to comply with the following laws and regulations relating to LCPs:
 - A. The grantee must utilize a Labor Compliance Program (LCP) pursuant to Labor Code Section 1771.5, and the regulations promulgated thereunder (California Code of Regulations, Title 8, Sections 16421 et seq.), to be implemented through an LCP provider. Information about LCPs generally is available at www.dir.ca.gov/lcp.asp.
 - B. The LCP provider will conduct a mandatory pre-job conference with the Contractor and its subcontractors to discuss federal and state labor law requirements applicable to the project. Contractor and its subcontractors shall be required to maintain and furnish to the LCP provider, at designated times, a certified copy of each weekly payroll containing a statement of compliance signed under penalty of perjury. The LCP provider will review and audit payroll records to verify compliance with applicable labor law. The LCP provider will also visit the jobsite and will randomly interview individuals to verify compliance with prevailing wage laws. The grantee may be required to withhold contract payments equal to the amount of underpayment and penalties, when, after investigation, it has been established that an underpayment or delinquency has occurred. Copies of the required rates are on file with the Department of Industrial Relations and available upon request. There are other requirements in the statutes and regulations.

Distribution List

Mr. Page Baldwin, Jr.
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Post Office Box 785
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293 Pueblo Drive
Pittsburg, California 94565

Mr. Douglas Chan
Reclamation District No. 551
Post Office Box 123
Walnut Grove, California 95690

Mr. Jeff Conway
Reclamation District No. 800
Post Office Box 262
Byron, California 94514

Mr. Henry N. Kuechler, IV
Reclamation District No. 2060
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Menlo Park, California 94025

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Post Office Box 20
Stockton, California 95201

Mr. David A. Forkel
Reclamation District No. 2026
c/o Al Warren Hoslett Law Office
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Ms. Vicki Hale
Brannan Andrus Levee Maintenance District
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Ms. Stacy Boyd
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Mr. Cliff Feldheim
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Attn: Michael Milani
P.O. Box 5966
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2365 Iron Point, Suite 300
Folsom, CA 95630-8709

Kjeldsen, Sinnock, and Neudeck, Inc.
P.O. Box 844
Stockton, CA 95201-0844

Green Mountain Engineering
Attn: Dominick Gulli
1314 Paloma Avenue
Stockton, CA 95209

DCC Engineering
Attn: Mr. Gil Labrie
P.O. Box 929
Walnut Grove, CA 95690

County of Sacramento Public Works Agency
Attn: Mr. Mike Johnson
827 7th Street, Room 301
Sacramento, CA 95814

Linda Hefflinger
15258 Murieta South Parkway
Rancho Murieta, CA 95683

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Attn: Anthony J. Lopez
3244 Brookside Road, Suite 100
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Wagner & Bonsignor
Consulting Civil Engineer
Attn: Mr. Henry Matsunaga
2151 River Plaza Drive, Suite 100
Sacramento, CA 95833

Giuliani & Kull, Inc.
Attn: Chad Tienken
440 S. Yosemite Avenue
Oakdale, CA 95361

County of Sacramento Department of Water
Resources
Attn: Mr. George H. Booth
827 7th Street, Room 391
Sacramento, CA 95814

Notice to Property Owners of Public Hearing on Proposed Water Rates

Tuesday, May 24, 2016

5:30pm

City Hall

425 N. El Dorado Street

Stockton, CA 95202

The City of Stockton invites the public to attend a scheduled public hearing on Tuesday, May 24, 2016, at 5:30pm, to consider adoption of a 5-year schedule of maximum water rates. The hearing will be held at 425 N. El Dorado Street, Stockton. If adopted, the new water rates will go into effect on July 1, 2016 (FY 2017). The proposed rates are shown in more detail below under the "Proposed Rate Schedules" section.

The purpose of the hearing is to consider all oral testimony and written protests of the proposed rates. As the record owner you may submit a written protest to the proposed rates.

Basis for the proposed rates

In 2009, the City of Stockton Municipal Utilities Department (City) retained HDR Engineering, Inc. (HDR) to perform a water rate study and adopt a 5-year rate schedule based on that study. The City has again retained HDR to prepare a comprehensive cost of service and rate study (2016 Rate Study) to support a new 5-year rate schedule. The purpose of this updated study is to ensure that the City's rates continue to comply with Prop. 218, which requires that rates correspond with the costs associated with each type of service, and that customers within each rate classification pay their proportional and equitable share of the total costs.

The 2016 Rate Study has used generally accepted water rate setting principles, as provided in the American Water Works Association M1 Manual, to proportionally allocate the City's operating, capital improvements and debt costs equitably among the different water customers and develop cost-based rate structures for each customer classification. During a City Council Meeting on May 24, 2016, the City Council will hold a public hearing on the 2016 Rate Study findings to solicit public comment in addition to other public outreach meetings.

<p>Monday, April 25, 2016 6:00pm Seifert Community Center 128 W. Benjamin Holt Drive Stockton, CA 95207</p>	<p>Monday, May 9, 2016 6:00pm Merlo Gymnasium 2021 Anne Street Stockton, CA 95202</p>	<p>Wednesday, May 18, 2016 6:00pm Arnold Rue Community Center 5857 Lorraine Avenue Stockton, CA 95210</p>
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Sources for additional information

All materials presented at the meetings, as well as the Draft Comprehensive Water Rate Study report, are posted on the City's web site at www.stocktonca.gov/water and are available for review at the Office of the City Clerk, 425 N. El Dorado Street, Stockton, CA 95202.

You may also contact the City of Stockton Municipal Utilities Department by email at waterfacts@stocktonca.gov or call the City's Water Hotline with questions at 1-866-786-5987 (toll-free).

Why are rate adjustments necessary?

The City is actively seeking avenues in which to save costs and reduce the impact on customers. However, there are a few drivers necessitating the proposed rate adjustments:

Annual debt service payments – The City has a legal requirement to maintain annual debt service coverage ratios.

Drought Impacts – Both the State mandated conservation and voluntary customer reduction in water use has resulted in reduced revenue for the City’s water utility.

System-wide renewal & replacement of aging infrastructure – To maintain safe and reliable water service for customers.

Facility Operations – To *continue* to sufficiently fund operations of the water system has increasing costs as inflationary measures push up on costs.

How would the rates change?

The proposed rates are the maximum that can be charged to customers. This means that the City Council can approve rates up to the proposed rates, but may elect to adopt something less than what is shown.

Proposed Rate Schedules

Water Rates

The following are the proposed water base rates and consumption tiers shown on a monthly basis, which are 26% in 2016, 5.5% in 2017, 3.0% in 2018, 3.0% in 2019, and 3.0% in 2020, and future adjustments made pursuant to the Consumer Price Index (CPI) for all Urban Consumers, as reported by the U.S. Department of Labor, Bureau of Labor Statistics, for all items, U.S. City average. The table below shows how to estimate your water bill.

The following rates represent the maximum monthly fixed charge water rates that can be charged.

Present & Proposed Monthly Fixed Meter Charges – Single Family, Multi-Family, Non Residential ^[1] , & Irrigation						
Meter Size	Present Rates	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
5/8"	\$18.94	N/A	N/A	N/A	N/A	N/A
3/4"	22.25	N/A	N/A	N/A	N/A	N/A
1"	29.24	N/A	N/A	N/A	N/A	N/A
1" & less	N/A	\$29.10	\$30.72	\$31.65	\$32.65	\$33.65
1 1/2"	42.17	58.20	61.44	63.30	65.30	67.30
2"	54.49	93.12	98.30	101.28	104.48	107.68
3"	96.36	174.60	184.32	189.90	195.90	201.90
4"	138.53	291.00	307.20	316.50	326.50	336.50
6"	228.20	582.00	614.40	633.00	653.00	673.00
8"	330.87	931.20	983.04	1,012.80	1,044.80	1,076.80
10"	412.91	1,338.60	1,413.12	1,455.90	1,501.90	1,547.90
12"	581.32	1,964.25	2,073.60	2,136.38	2,203.88	2,271.38

[1] – Non Residential customer class includes commercial, institutional, and industrial

Notice to Property Owners of Public Hearing on Proposed Water Rates

The following rates represent the maximum monthly water consumption charges that can be charged.

Present & Proposed Monthly Consumption Charges – All Customers						
	Present Rates	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Single Family						
All Usage	\$1.67	N/A	N/A	N/A	N/A	N/A
0 - 15 CCF	N/A	\$2.15	\$2.27	\$2.34	\$2.41	\$2.48
15 + CCF	N/A	2.57	2.71	2.80	2.88	2.96
Multi-Family						
All Usage	\$1.67	N/A	N/A	N/A	N/A	N/A
Winter (Oct - Apr)	N/A	\$1.84	\$1.94	\$2.00	\$2.06	\$2.12
Summer (May - Sept)	N/A	1.99	2.10	2.16	2.23	2.29
Non Residential						
All Usage	\$1.67	N/A	N/A	N/A	N/A	N/A
Winter (Oct - Apr)	N/A	\$1.85	\$1.95	\$2.01	\$2.07	\$2.13
Summer (May - Sept)	N/A	2.13	2.25	2.31	2.38	2.45
Irrigation						
All Usage	\$1.67	N/A	N/A	N/A	N/A	N/A
Winter (Oct - Apr)	N/A	\$1.92	\$2.03	\$2.09	\$2.15	\$2.21
Summer (May - Sept)	N/A	2.43	2.57	2.65	2.72	2.80

Notice to Property Owners of Public Hearing on Proposed Water Rates

Drought Rates

The City also requested that HDR develop a schedule of drought rates. The goal of drought rates is to remain whole and recover lost revenue due to conservation during a period of drought.

The following represent the maximum monthly drought surcharges that can be charged.

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Single Family					
Stage 1	\$0.25	\$0.27	\$0.28	\$0.29	\$0.30
Stage 2	0.56	0.60	0.62	0.64	0.66
Stage 3	0.97	1.02	1.05	1.08	1.11
Stage 4	1.51	1.59	1.64	1.69	1.74
Stage 5	2.26	2.38	2.46	2.53	2.60
Multi-Family (\$/CCF)					
Stage 1	\$0.21	\$0.22	\$0.23	\$0.24	\$0.25
Stage 2	0.48	0.50	0.51	0.53	0.54
Stage 3	0.82	0.86	0.89	0.92	0.95
Stage 4	1.27	1.34	1.38	1.42	1.46
Stage 5	1.91	2.01	2.07	2.13	2.19
Non Residential					
Stage 1	\$0.22	\$0.23	\$0.24	\$0.25	\$0.26
Stage 2	0.50	0.53	0.55	0.57	0.59
Stage 3	0.86	0.91	0.94	0.97	1.00
Stage 4	1.34	1.41	1.45	1.49	1.53
Stage 5	2.00	2.11	2.17	2.24	2.31
Irrigation					
Stage 1	\$0.25	\$0.27	\$0.28	\$0.29	\$0.30
Stage 2	0.57	0.60	0.62	0.64	0.66
Stage 3	0.97	1.03	1.06	1.09	1.12
Stage 4	1.52	1.60	1.65	1.70	1.75
Stage 5	2.27	2.40	2.47	2.54	2.61

Notice to Property Owners of Public Hearing on Proposed Water Rates

Drought Rates

The following rates represent the maximum monthly drought rates that can be charged.

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Single Family					
0 - 15 CCF					
Stage 1	\$2.40	\$2.54	\$2.62	\$2.70	\$2.78
Stage 2	2.71	2.87	2.96	3.05	3.14
Stage 3	3.12	3.29	3.39	3.49	3.59
Stage 4	3.66	3.86	3.98	4.10	4.22
Stage 5	4.41	4.65	4.80	4.94	5.08
15 + CCF					
Stage 1	\$2.82	\$2.98	\$3.08	\$3.17	\$3.26
Stage 2	3.13	3.31	3.42	3.52	3.62
Stage 3	3.54	3.73	3.85	3.96	4.07
Stage 4	4.08	4.30	4.44	4.57	4.70
Stage 5	4.83	5.09	5.26	5.41	5.56
Multi-Family (\$/CCF)					
Winter (Oct - Apr)					
Stage 1	\$2.05	\$2.16	\$2.23	\$2.30	\$2.37
Stage 2	2.32	2.44	2.51	2.59	2.66
Stage 3	2.66	2.80	2.89	2.98	3.07
Stage 4	3.11	3.28	3.38	3.48	3.58
Stage 5	3.75	3.95	4.07	4.19	4.31
Summer (May - Sept)					
Stage 1	\$2.20	\$2.32	\$2.39	\$2.47	\$2.54
Stage 2	2.47	2.60	2.67	2.76	2.83
Stage 3	2.81	2.96	3.05	3.15	3.24
Stage 4	3.26	3.44	3.54	3.65	3.75
Stage 5	3.90	4.11	4.23	4.36	4.48
Non Residential					
Winter (Oct - Apr)					
Stage 1	\$2.07	\$2.18	\$2.25	\$2.32	\$2.39
Stage 2	2.35	2.48	2.56	2.64	2.72
Stage 3	2.71	2.86	2.95	3.04	3.13
Stage 4	3.19	3.36	3.46	3.56	3.66
Stage 5	3.85	4.06	4.18	4.31	4.44
Summer (May - Sept)					
Stage 1	\$2.35	\$2.48	\$2.55	\$2.63	\$2.71
Stage 2	2.63	2.78	2.86	2.95	3.04
Stage 3	2.99	3.16	3.25	3.35	3.45
Stage 4	3.47	3.66	3.76	3.87	3.98
Stage 5	4.13	4.36	4.48	4.62	4.76
Irrigation					
Winter (Oct - Apr)					
Stage 1	\$2.17	\$2.30	\$2.37	\$2.44	\$2.51
Stage 2	2.49	2.63	2.71	2.79	2.87
Stage 3	2.89	3.06	3.15	3.24	3.33
Stage 4	3.44	3.63	3.74	3.85	3.96
Stage 5	4.19	4.43	4.56	4.69	4.82
Summer (May - Sept)					
Stage 1	\$2.68	\$2.84	\$2.93	\$3.01	\$3.10
Stage 2	3.00	3.17	3.27	3.36	3.46
Stage 3	3.40	3.60	3.71	3.81	3.92
Stage 4	3.95	4.17	4.30	4.42	4.55
Stage 5	4.70	4.97	5.12	5.26	5.41

How to protest the proposed rates

Any property owner whose property will be subject to the proposed rates may submit a written protest and/or come to the hearing and provide oral testimony. Only one protest will be counted per identified parcel. If a majority of property owners whose property receives water service file written protests by the end of the public hearing, or oral protests during the public hearing on May 24, 2016, the corresponding water rates will not be approved. Written protests may be submitted by mail or in person to:

City Clerk
City of Stockton
425 N. El Dorado Street
Stockton, CA 95202

A written protest must include your name and a description of the parcel(s) in which you have an ownership interest. A street address and/or assessor's parcel number are sufficient descriptions. If the party signing or presenting the protest is not shown as the parcel owner on the last equalized assessment roll, the protest must contain, or be accompanied by, written evidence that such party is the owner.

Este informe contiene información sobre su cuenta de agua. Es muy importante que entienda el material. Para ver la traducción de este informe vaya a la pagina www.stocktonca.gov/water